



राजपत्र, हिमाचल प्रदेश (प्रसाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, शुक्रवार, 29 अप्रैल, 2005/9 वेंसाब्द, 1927

हिमाचल प्रदेश सरकार

H. P. STATE ENVIRONMENT PROTECTION & POLLUTION CONTROL BOARD

Paryavaran Bhavan, Phase III, Shimla-171009

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PUBLIC NOTICE

Shimla, the 19th April, 2005

No. PCB (Bd. Mtg.) Engg./05.—Whereas it is mandatory for all industries development projects, local bodies, other operations & processes etc. to apply for & obtain the consent/renewal of consent of the State Board under the provisions of Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 & Section 21 of the Air (Prevention and Control of Pollution) Act, 1981..

Whereas it has been observed that applicants are not filing the applications alongwith due consent fee within prescribed time limit.

So it is, again informed that all those concerned for filing of application for renewal of consent under the provisions of section-25 of the Water (Prevention & Control of Pollution) Act, 1974 and/or section-21 of the Air (Prevention and Control of Pollution) Act, 1981 respectively, should file those applications by due date i. e. by 31 March of every year without delay or lest they shall be liable for paying/imposition of penalty on the consent fee for late deposition of consent fee, which is proportional to period of delay, as per details given below, which have been decided by the Board on 7-11-1998 and notified vide this Board notification No PCB (Bd. Mtg.) Engg./98-8224-53, dated 30-12-1998. The details are again reproduced below for convenience/information and further necessary action of the general public, concerned with renewal of consent of this Board:—

Sl. No.	Period of delay	Amount of Penalty as % of fees dues
1	2	3
1.	One month or part thereof after 31st March or on date when the Consent Renewal becomes due.	5%
2.	More than one month and upto three months.	10%
3.	More than three months and upto six months.	20%
5.	Beyond six months	Penal interest (compounded monthly) @ of 1/2% per months on the sum of fees due and the penalty till the actual date of payment of fees. A part of the month shall be deemed as full month for the purpose of penalty and penal interest.

In addition to above penalty, the defaulters would also be liable for legal actions for violation of the directions issued by Board and provisions of Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 & Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 under:—

* Section 37 and 39 of the Air (Prevention and Control of Pollution) Act, 1981 attracting fine of rupees ten thousand and imprisonment upto six years.

* Sections 41 and 44 of the Water (Prevention and Control of Pollution) Act, 1974 attracting fine of rupees five thousand and imprisonment upto six years.

By order,
Sd/-

Member Secretary,

H. P. SEP & PCB, Shimla.

Shimla, the 19th April, 2005

No. PCB (Bd. Mtg.) Engg./04.—Whereas it is mandatory for all industries, development projects, local bodies, other operation & processes etc. to apply for & obtain the consent/renewal of consent of the State Board under the provisions of Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 & Section 21 of the Air (Prevention and Control of Pollution) Act, 1981;

Whereas mining operations undertaken by the industry or projects or any other body in their activity/ process is likely to have adverse impact on the environment & as such it is an activity which requires supervision & prior consent of the Board ;

Whereas the State Board has already, rationalised the consent fees *vide* its notification No. PCB (Engg.) Bd. Mtg. (43)/99-1994-2022, dated 2 June, 1999, chargeable under the relevant provisions of Water Act & Air Act, for the mining activity by linking the said fee directly to the potential of pollution & the area.

Whereas it has been observed that applicants are not filing the applications along with due consent fee within prescribed time limit, so it is directed that all those undertaking mining operations in their projects/industry should timely file application/deposit consent fee & that the fees chargeable from the mining activity under the aforesaid provisions is according to the following structure and the details are again reproduced below for convenience /information and further necessary action of the general public, concened with renewal of consent of this Board:—

(i)

Sl. No.	Area of Mining Lease for Non-Captive Mines	Fee (in Rs.) for consent to Establish and/or Operate
1	2	3
1.	All mining leases upto 10 bighas	1,000
2.	Mining leases above 10 bighas and upto 50 bighas	4,000
3.	Mining leases above 50 bighas and upto 100 bighas	6,000
4.	Mining leases above 100 bighas and upto 200 bighas	8,000
5.	Mining leases above 200 bighas	10,000

(ii) Consent to Establish/Operate at the rate of 1,00,000/- for all categories of captive mines of major industries development projects shall be charged.

(ii) In case of lease for manual picking up of stones, bajri and sand from river beds, the Consent to Establish/Operate fee shall be levied at the rate of Rs. 500/- and Renewal at the rate of Rs. 200/- per annum.

(iv) The annual consent Renewal fee shall be @40% of the Consent to Establish/Operate fee, as the case may be in all cases as stated in (i), (ii) & (iii) above.

The defaulters would be liable for violation of the directions issued by the Board & provisions of Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 & Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 under:—

* Section 37 and 39 of the Air (Prevention and Control of Pollution) Act, 1981 attracting fines upto rupees ten thousand and imprisonment upto six years.

* Section 41 and 44 of the Water (Prevention and Control of Pollution) Act, 1974 attracting fine of rupees five thousand and imprisonment upto six years.

Sd/-
Member Secretary.

